

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	\$	
Schmitt, et al.	\$	
Serial No.: 10/812,717	\$	Group Art Unit: 1709
	\$	
Confirmation No.: 3736	\$	Examiner: Lafond, Ronald D.
	\$	
Filed: March 29, 2004	\$	
	\$	
For: Deposition of Low	\$	
Dielectric Constant by N <sub>2</sub> O	\$	
addition	\$	
	\$	

MAIL STOP AMENDMENT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

**DECLARATION UNDER 35 C.F.R § 1.131**

I, Francimar C. Schmitt, in support of conception and reduction to practice of claimed subject matter prior to filing of the present application on March 29, 2004, hereby declare:

1. I am a co-inventor with Kimberly A. Branshaw, Padmanabhan Krishnaraj and Hichem M'Saad, of the subject matter described and claimed in the present application filed on March 29, 2004. I have read and understand the application, including the currently pending claims;
2. We conceived of the subject matter of all claims pending in this application in the United States prior to October 16, 2003, the publication date of U.S. Patent Publication No. 2003/0194495 published to *Li, et al*, hereinafter referred as the "L";
3. Our conception of the claimed subject matter of the pending claims prior to October 16, 2003, is evidenced by Exhibit A1, which is a graph illustrating film dielectric constants deposited by different ratios of nitrogen atom to OMCTS precursor, and by

Exhibit A2, which is an Excel spreadsheet regarding experimental conditions utilized, for depositing a low dielectric constant film using a cyclic organosiloxane and two or more oxidizing gases comprising  $N_2O$  and  $O_2$ , wherein a ratio of a flow rate of the  $N_2O$  to a total flow rate of the two or more oxidizing gases is between about 0.1 and about 0.5;

4. The spreadsheet of Exhibit A1 and A2 was prepared prior to October 16, 2003. The selected experimental conditions listed in Exhibit A2 correspond to the measurement data shown in Exhibit B and Exhibit C. The test runs listed on Exhibit A2 is identified on Exhibit B and Exhibit C by their film thickness, showing that the experiments were conducted prior to October 16, 2003.

5. The experiments reported in the Excel spreadsheet shown in Exhibit A2 show actual reduction to practice in the United States of the claimed subject matter prior to October 16, 2003;

6. That all experiments resulting in the data reported in the Excel spreadsheet shown in Exhibit A2 were performed in the United States;

7. The experiment labeled as FSN-18 in Exhibit A2 utilized a  $N_2O$  to a total flow ratio of 0.1714. The resultant film had a low dielectric constant of 2.82 and a thickness of 11375 Å. The measurement was completed prior to October 16, 2003, as shown in the first row of measurement data illustrated in Exhibit B;

8. The experiment labeled as FSN-17 in Exhibit A2 utilized a  $N_2O$  to a total flow ratio of 0.3158. The resultant film had a low dielectric constant of 2.80 and a thickness of 11582 Å. The measurement was completed prior to October 16, 2003, as shown in the second row of measurement data illustrated in Exhibit B;

9. The experiment picked in the data line immediately under labeled FSN-17 in Exhibit A2 utilized a  $N_2O$  to a total flow ratio of 0.4762. The resultant film had a low dielectric constant of 2.81 and having a thickness of 8145 Å. The measurement was completed prior to October 16, 2003, as shown in substrate measurement map illustrated in Exhibit C;

10. Thus, the data obtained prior to October 16, 2003, illustrates the use of a organosiloxane and a  $N_2O$  to total flow rate of between about 0.1 and about 0.5 for depositing a low dielectric constant film.

11. We diligently pursued the subject matter of the pending claims from a time

beginning before October 16, 2003 until filing of the present application on March 29, 2004.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 9/25/07

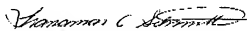
  
Francimar C. Schmitt

Exhibit A1

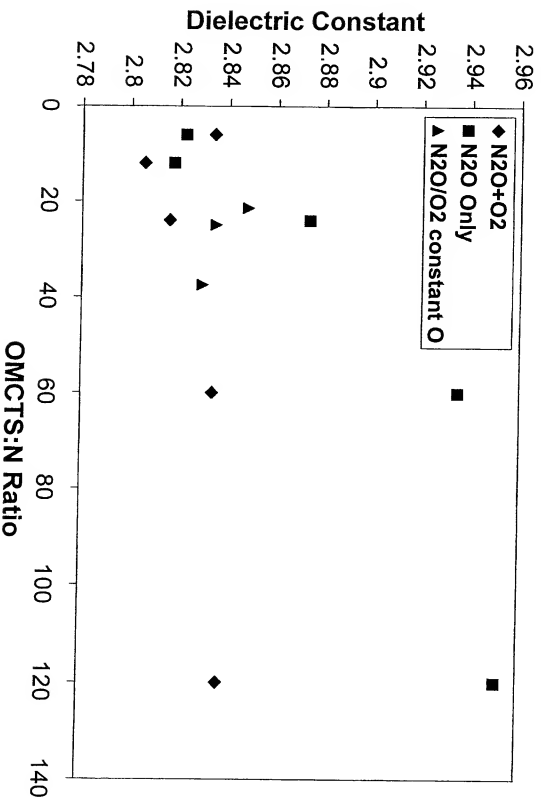


Exhibit A1


**Exhibit A2**

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350	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
360	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
370	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
380	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
390	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
400	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
410	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
420	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
430	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
440	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
450	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
460	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
470	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
480	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
490	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
500	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
510	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
520	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
530	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
540	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
550	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
560	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
570	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
580	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
590	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
600	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
610	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
620	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
630	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
640	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
650	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
660	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
670	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
680	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
690	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
700	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
710	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
720	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
730	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
740	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
750	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439	1567	8066	841	217	247070
760	10742	834	2089	534	506	0	10742	831	01718	5163	7865	439</					

[illegible][illegible]

0	2.81992	13.48	2.32	16.60	2.2811	20.1
250	2.71873	14.88	2.90	16.01	2.5557	24.65
500	2.60719	12.88	2.78	14.01	2.5294	5.75
750	2.52735	12.78	2.54	12.50	2.5848	33.84
1000	2.41878	7.14	2.85	11.80	2.6452	22.52
2000	2.88069	6.166	2.64	2.81	2.6475	1.87
3000	3.27254	-22.07	2.51	7.05		

 <b>IFMS</b> 4.11a16	<b>Saved measurement</b> <b>Active file: PRODUCER\BDII\BDII_3M</b>		3:21:30 pm Thu
	ENG.LTC.DIG.OP		

Date/Time	Cas/Sit	Aug(t1)	Aug(n1)	Ang(t1)
09:54 01/17	11375.45	1.4245	1816.41	<i>Raho</i> <i>→ CFN 76</i>
09:56 01/19	11581.93	1.4227	1649.68	
09:58 01/21	11494.81	1.4205	1527.95	
10:00 01/23	12612.98	1.4228	1593.88	
12:13 01/23	6699.76	1.5382	21847.89	
12:15 01/25	7687.76	1.5592	21649.99	
12:26 01/06	9959.84	1.4448	3633.52	
12:30 01/07	9556.36	1.3375	6126.81	
12:32 01/08	9134.11	1.4188	5838.25	
12:34 01/09	9192.83	1.3754	3389.95	
12:38 01/10	8783.93	1.3263	4830.47	
12:55 01/11	9662.48	1.4688	4875.91	
12:57 01/12	9127.39	1.4061	4325.68	
12:59 01/13	9544.18	1.4814	4854.36	

Buttons: Exit, More, Param, Print

OP5340/59189/8249

CFN 76-DKCMC 11/02

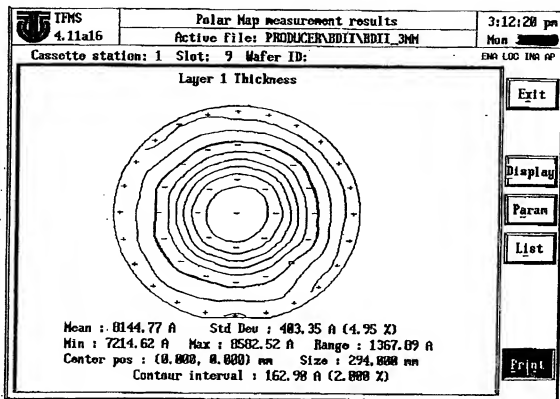
SUCCESS 27.51

10/18/2002

K=2.52

10/18/2002

## Exhibit C



OP5340/59189/8249

$$C_p = 7214.62$$

$$\text{stress} = 21.17$$

4 6 0 Si  
 ASD4P 28.8 / 25.1 / 20.2 / 25.9  
 EPR 27.1 / 25.5 / 21.6 / 25.8

Ref Ox = 148.1

T<sub>ox</sub> 5131.5

$$C_{ap} = 75.99$$

$$k = 2.81$$

AS DEP

N<sub>2</sub>O = 100 sccmO<sub>2</sub> = 110 sccm

φ-FS-N-11e